



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 12

Fifth Third Center, Suite 530

201 East Kennedy Boulevard

Tampa, Florida 33602

Telephone (813) 228-2641

Facsimile (813) 228-2874

December 6, 2011

Mark Stublely, Esq.
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
300 North Main Street, Suite 500
P.O. Box 2757
Greenville, SC 29602

VIA FACSIMILE TO (864) 234-8806
AND REGULAR MAIL

Re: US Foods, Inc. f/k/a U.S. Foodservice, Inc.
Cases 12-RC-009413
12-CA-069284

Dear Mr. Stublely:

This office is in receipt of a copy of your letter of December 1, 2011, addressed to the Board, seeking review of the Region's determination to hold the processing of the representation petition in Case 12-RC-009413 in abeyance pending the resolution of the unfair labor practice charge in Case 12-CA-069284.

The petition in Case 12-RC-009413 was filed on May 21, 2010. Following a hearing, I issued a Decision and Direction of Election on July 2, 2010. Before an election was scheduled, as referenced in your letter to the Board, processing of the petition was blocked by the unfair labor practice charge filed by International Brotherhood of Teamsters, Local 79 (the Petitioner or the Union) against your client, US Foods, Inc. f/k/a U.S. Foodservice, Inc. (the Employer) in Case 12-CA-26791. The charge in that case was tried before Administrative Law Judge Joel P. Biblowitz (the ALJ) on October 25, 2010. The ALJ issued his decision on June 8, 2011, finding that the Employer violated Section 8(a)(1) of the Act by directing an employee not to meet with, or talk to, union supporters. *U.S. Foodservice, Inc.*, JD(NY)-17-11. No exceptions to the ALJ's decision were filed. Case 12-CA-26791 was closed on compliance with the Board Order on October 25, 2011.

Thereafter, during November 2011, the Regional office communicated with the parties in an effort to make election arrangements in Case 12-RC-009413.¹ The parties tentatively agreed upon the date and times of the election, and certain other election

¹ On November 3, 2011, the undersigned issued an Order setting a current payroll eligibility date in view of the passage of over 14 months since the issuance of the Decision and Direction of Election.

arrangements, but disputed the specific location in the Employer's Tampa, Florida premises where the election should be conducted. The Petitioner urged that the election be held in the warehouse break room or drivers break room, and the Employer took the position that it would agree to hold the election in the kitchen side conference room, non kitchen conference room, small conference room, executive conference room, or the human resources training room, but not in either break room. On November 21, 2011, at the Employer's invitation, a Board agent visited the Employer's premises for the purpose of determining whether any of the five locations suggested by the Employer would be suitable for conducting the election. On November 21, 2011, the Petitioner filed the unfair labor practice charge in Case 12-CA-069284. Although the parties had agreed on an election date, an election had not been "scheduled," and no Notice of Election had been issued.

The charge in Case 12-CA-069284, which was filed on November 21, 2011, alleges that on or about November 17, 2011, the Employer discriminated against employee Will Everett by suspending him indefinitely pending discharge because of his activities on behalf of the Union, in violation of Section 8(a)(1) and (3) of the Act. The Region is in the process of investigating the charge. The Petitioner has not filed a request to proceed with Case 12-RC-009413 notwithstanding the filing of the charge in Case 12-CA-069284.

Board Casehandling Manual Section 11731.2 provides that there may be situations where, in the absence of a request to proceed, the Regional Director is of the opinion that the employees could exercise their free choice in an election, and the representation case should proceed notwithstanding the existence of an unfair labor practice charge, and lists a number of factors to be considered. Board Casehandling Manual Section 11731.6 provides that if an election has been scheduled, the Regional Director may postpone the election pending the disposition of the charge, hold the election as scheduled and impound the ballots until after the disposition of the charge, or, (c) conduct the election, issue the tally of ballots and, in the absence of objections, issue a certification; and then proceed to investigate the charge. That section further provides for consideration of the above factors and certain additional factors.

As noted above, an election had not been scheduled at the time the charge in Case 12-CA-069284 was filed. Whether or not the election had been scheduled, however, I would have determined to block the processing of the representation petition. One factor I relied on is that there was insufficient time between the filing of the charge and the tentative election date of December 8, 2011, to permit the Regional office to adequately investigate the unfair labor practice charge before the tentative election date. I also considered the serious character of the nature of the allegation in the charge, involving the indefinite suspension of an employee pending discharge because of his union activity, and considered evidence that the alleged discriminatee is known by other employees as a leader of the Union's organizing campaign, and that a number of other employees are aware of the alleged conduct. I further relied on the fact that only two business days lapsed between the alleged conduct and the filing date of the charge, and substantial evidence supporting the charge was promptly submitted by the charging party. Although not known at the time I decided to hold the processing of the petition in abeyance, the fact that the Employer has now discharged the alleged discriminatee, further demonstrates the serious character of the nature of the allegation in the charge.

The allegations of the charge in Case 12-CA-069284, if proven, may require remedial action before a free and fair election can be held, and may establish grounds for setting aside an election, if one were to be held. In these circumstances, I have determined that the processing of the petition will continue to be held in abeyance pending the disposition of the unfair labor practice charges in Case 12-CA-069284.

Right to Request Review: Pursuant to Section 102.71 of the Board's Rules and Regulations, you may obtain review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1099 14th Street, NW, Washington, D.C. 20570-0001. This request for review must contain a complete statement setting forth the facts and reasons on which it is based.

Procedures for filing a Request for Review: Pursuant to the Board's Rules and Regulations, Sections 102.111–102.114, concerning the Service and Filing of Papers, the request for review must be received by the Executive Secretary of the Board in Washington, D.C., by close of business on December 19, 2011, at 5:00 p.m. Eastern time unless filed electronically. Consistent with the Agency's E-Government initiative, parties are encouraged to file a request for review electronically. If the request for review is filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is accomplished by no later than 11:59 p.m. Eastern time on the due date. Please be advised that Section 102.114 of the Board's Rules and Regulations precludes acceptance of a request for review by facsimile transmission. Upon good cause shown, the Board may grant special permission for a longer period within which to file.² A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

A request for review may be filed electronically by using the E-Filing system on the Agency's website. In order to file a request for review electronically, access the Agency's website at <http://www.nlr.gov>, click on "**File Case Documents**" tab, and follow the detailed directions. The responsibility for the receipt of the request for review rests exclusively with the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason.

Very truly yours,

Rochelle Kentov
Regional Director

cc: see next page

² A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.

cc:

Executive Secretary
National Labor Relations Board
1099 14th Street, NW
Washington, DC 20570

Thomas J. Pilacek, Esq.
Pilacek & Associates
158 Tuskawilla Road, Suite 2320
Winter Springs, FL 32708

R. Randy Pines, Organizer
Teamsters Local 79
5818 E. Dr. Martin Luther King Jr. Blvd.
Tampa, FL 33619



OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

Attorneys at Law

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300 North Main Street, Suite 500 (29601)
Post Office Box 2757
Greenville, SC 29602
Telephone: 864.271.1300
Facsimile: 864.235.8806
www.ogletreedeakins.com

Mark Stublely
mark.stublely@ogletreedeakins.com

December 1, 2011

Via Facsimile and US Mail

Lester A. Heltzer
Executive Secretary
National Labor Relations Board
1099 14th St. N.W.
Washington, D.C. 20570-0001

RE: US Foods (f/d/b/a U.S. Foodservice, Inc.)
Case Nos: 12-RC-9413
12-CA-069284

Dear Mr. Heltzer:

Pursuant to Section 102.71 of the National Labor Relations Board's Rules and Regulations, we are requesting an emergency appeal and review of the decision by the Regional Director for Region 12 to deny US Foods' request that the Region exercise its discretion to proceed with the December 8, 2011, scheduled election in the above-captioned representation case.

Background

US Foods operates a distribution facility in Tampa, Florida. US Foods' Tampa facility is the subject of the above-referenced representation petition.

The Teamsters petition for representation was originally filed in Region 12 in May 2010. The election was eventually postponed due to the union filing numerous unfair labor practice charges against the company. Ultimately, most of the charges were dismissed during the Region's investigation. The only allegation found to have merit (one of two tried before an ALJ) involved an 8(a)(1) allegation arising from a single comment made by a manager to a known union supporter.

Following US Foods' posting of the NLRB notice concerning that ULP allegation, the Region scheduled an election for December 8, 2011. However, the union filed the above-referenced ULP charge to, once again, block the election.

Lester A. Heltzer
December 1, 2011
Page 2

The ULP Charge

On November 21, 2011, the union filed the charge. Will Everette, the employee mentioned in the charge, was suspended pending an investigation into a report that he allegedly threatened to shoot another employee. Everette has now been terminated as a result of that investigation.

Following the filing of the charge, the Region requested the employer's position as to whether or not the processing of the representation case should be blocked and/or the election scheduled for December 8, 2011, should be postponed. US Foods filed a prompt response on November 23, 2011.

Subsequent to filing US Foods' response, we notified the Region that US Foods would provide the Region additional evidence concerning its investigation. There is no evidence, however, that can refute the fact that US Foods' actions taken against the alleged discriminatee were consistent with the company policy and past practice. Furthermore, the investigation and other actions taken by the company were prompted by an employee's report to the company, and the reported threats were substantiated by other employee witnesses.

While we have not received any written response from the Region, we were informed by Board Agent Chastity Pabon on Wednesday, November 30, 2011, that the Region intended to treat the charge as a blocking charge and that the election would be postponed. We believe the election should proceed as scheduled.

Appeal to Board

The union's petition for representation in this matter has been pending for over 18 months. It is within the Region's discretion to schedule an election despite the pending ULP charge. Indeed, one of the specifically enumerated exceptions to the Board's general blocking is "[t]he entitlement and interest of the employees in an expeditious expression of their preference regarding representation." N.L.R.B Case Handling Manual Part 1 Section 11731.2. The failure of the Region to exercise this discretion and proceed with the December 8, 2011, election in this case could jeopardize the employees' rights to an election indefinitely, despite the fact that the pending charge has no legal or factual foundation.

Pursuant to Section 102.71 (b)(2) of the Board's Rules and Regulations, a request for review of a Regional Director's actions may be granted on the grounds of "compelling reasons for reconsideration of an important Board rule or policy." In this case, the US Foods' Tampa employees' entitlement to a representation election is a compelling reason for the Board to reconsider the Regional Director's application of the general blocking policy. Accordingly, we ask the Board to direct the Region to proceed with the December 8, 2011, election.

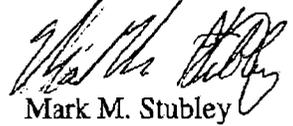
Pursuant to the Board's rules, a copy of this request has been served upon the Regional Director and union via facsimile and U.S. Mail.

Lester A. Heltzer
December 1, 2011
Page 3

If you have any additional questions, please call us.

Sincerely,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.



Mark M. Stuble

MMS/clm

cc: Rochelle Kentov, Regional Director (Via Fax and U.S. Mail)
Randy Pines, Teamsters Local Union #79 Organizer (Via Fax and U.S. Mail)



**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

Attorneys at Law

The Ogletree Building
300 North Main Street, Suite 500 (29601)
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Greenville, SC 29602
Telephone: 864.271.1300
Facsimile: 864.242.0037
www.ogletreedeakins.com

FACSIMILE TRANSMITTAL

DATE:	November 23, 2011	PAGES:	4 Including cover
TO:	Lester A. Heltzer, Executive Secretary, NLRB Rochelle Kentov ~ Reg. Dir. Randy Pines ~ IBT Local 79	FROM:	Mark M. Stublely
FAX:	(202) 273-4270 (813) 228.2874 (813) 626-7915	PHONE:	864.271.1300
RE:	US Foods Case Nos: 12-RC-9413 12-CA-069284		

Original to follow in U.S. Mail.

MESSAGE: If problems arise with receipt of this transmission, please contact: Lynn McJunkin at 864.241.1812.

Atlanta ▪ Austin ▪ Birmingham ▪ Bloomfield Hills ▪ Boston ▪ Chadderton ▪ Charlotte ▪ Chicago ▪ Cleveland ▪ Columbia ▪ Dallas ▪ Denver ▪ Greensboro
Greenville ▪ Houston ▪ Indianapolis ▪ Jackson ▪ Kansas City ▪ Las Vegas ▪ Los Angeles ▪ Memphis ▪ Miami ▪ Minneapolis ▪ Morristown ▪ Nashville ▪ New Orleans
Orange County ▪ Philadelphia ▪ Phoenix ▪ Pittsburgh ▪ Portland ▪ Raleigh ▪ St. Louis ▪ St. Thomas ▪ San Antonio ▪ San Francisco ▪ Tampa ▪ Torrance ▪ Tucson ▪ Washington

***CONFIDENTIALITY NOTICE:** This message and its documents accompanying this facsimile are legally privileged, confidential, and exempt from disclosure under applicable law. The information is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, please be advised that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If this communication has been received in error, please notify us by telephone immediately to arrange for the return of the original documents to us. Thank you.*



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 12
201 E KENNEDY BLVD STE 530
TAMPA, FL 33602-5824

Agency Website: www.nlr.gov
Telephone: (813)228-2641
Fax: (813)228-2874

November 22, 2011

BILL BEEDIE
U.S. FOOD SERVICE, INC.
7004 E HANNA AVE
TAMPA, FL 33610-9527

Re: US Food Service, Inc.
Case 12-CA-069284

Dear Mr. BEEDIE:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner PAUL D'AURORA whose telephone number is (813)228-2644. If PAUL D'AURORA is not available, you may contact Deputy Regional Attorney DAVID COHEN whose telephone number is (813) 228-2345.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



ROCHELLE KENTOV
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME US Food Service, Inc.		CASE NUMBER 12-CA-069284		
1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)				
2. TYPE OF ENTITY <input type="checkbox"/> CORPORATION <input type="checkbox"/> LLC <input type="checkbox"/> LLP <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE PROPRIETORSHIP <input type="checkbox"/> OTHER (Specify)				
3. IF A CORPORATION or LLC				
A. STATE OF INCORPORATION OR FORMATION		B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES		
4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS				
5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR				
6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed)				
7. A. PRINCIPAL LOCATION:		B. BRANCH LOCATIONS:		
8. NUMBER OF PEOPLE PRESENTLY EMPLOYED:				
A. Total		B. At the address involved in this matter		
9. DURING THE MOST RECENT (Check appropriate box): <input type="checkbox"/> CALENDAR YR. <input type="checkbox"/> 12 MONTHS or <input type="checkbox"/> FISCAL YR. (By dates:)				
			YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$				
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$				
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$				
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$				
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount \$				
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$				
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$				
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.				
I. Did you begin operations within the last 12 months? If yes, specify date: _____				
10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?				
<input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, name and address of association or group).				
11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS				
NAME	TITLE	E-MAIL ADDRESS	TEL NUMBER	
12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE				
NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE	

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 12
201 E KENNEDY BLVD STE 530
TAMPA, FL 33602-5824

Agency Website: www.nlr.gov
Telephone: (813)228-2641
Fax: (813)228-2874

November 22, 2011

R. RANDY PINES, ORGANIZER
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL UNION NO. 79
5818 E DR MARTIN LUTHER KING JR BLVD
TAMPA, FL 33619-1033

Re: US Food Service, Inc.
Case 12-CA-069284

Dear Mr. PINES:

The charge that you filed in this case on November 21, 2011 has been docketed as case number 12-CA-069284. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge will be investigated by Field Examiner PAUL D'AURORA whose telephone number is (813) 228-2644. If the Board agent is not available, you may contact Deputy Regional Attorney DAVID COHEN whose telephone number is (813) 228-2345.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board

agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Rochelle Kentov". The signature is written in a cursive, flowing style.

ROCHELLE KENTOV
Regional Director